

(2010) 04 DEL CK 0244

In the Delhi High Court

Case No : Writ Petition (C) No. 2430 of 2010

Director Education, Directorate of Education

APPELLANT

Vs

Rani Devi and Others

RESPONDENT

Date of Decision : 13-04-2010

Acts Referred:

Citation : (2010) 04 DEL CK 0244

Hon'ble Judges : Veena Birbal, J;Anil Kumar, J

Bench : Division Bench

Advocate : Avnish Ahlawat, for the Appellant; Sewa Ram and Mr. R.K. Bachan, for the Respondent

Final Decision : Dismissed

Judgement

Anil Kumar, J.

CM No.4862/2010

1. Allowed subject to just all exceptions.

W.P.(C) No.2430/2010

2. The petitioner, Director of Education, has impugned the order dated 8th July, 2009 passed by the Central Administrative Tribunal, Principal Bench, New Delhi in T.A. No.626 of 2009, titled as "Mrs. Rani Devi v. Municipal Corporation of Delhi and others" whereby the Tribunal has set aside the order of reversion of respondent No.1 from the post of TGT in Language to the post of Assistant Teacher (Nursery) and has directed the petitioner to continue the respondent No.1 as TGT in Government of NCT, and to grant release of increments and all other consequential benefits and arrears to her.

3. The respondent No.1 was promoted after selection by a duly constituted DPC from Assistant Teacher (Nursery) to the post of TGT (Language Hindi) after a no objection certificate was issued by the Municipal Corporation of Delhi and approval was also granted by the petitioner. On her appointment as TGT (Hindi),

the respondent No.1 was relieved permanently from Municipal Corporation of Delhi Primary School where she was posted as Assistant Teacher (Nursery). The respondent No.1 worked for four years as TGT (Hindi) where after a notice was served on her to revert to the post of Assistant Teacher (Nursery) without disclosing violation of any of the Recruitment Rules.

4. The respondent No.1 had challenged the order of reversion which was set aside by the Central Administrative Tribunal, Principal Bench, New Delhi by order dated 8th July, 2009. In the original application filed by respondent No.1 Municipal Corporation of Delhi was also a party.

5. The Municipal Corporation of Delhi also impugned the order dated 8th July, 2009 passed by the Central Administrative Tribunal, Principal Bench, New Delhi by filing the writ petition being W.P.(C) No.2385 of 2010, titled as "Municipal Corporation of Delhi and others v. Mrs.Rani Devi and another", which was dismissed by this Court by order dated 12.04.2010.

6. Since the present petition by Director of Education also impugned the same order dated 8th July, 2009 against which the writ petition filed by the Municipal Corporation of Delhi being W.P.(C) No.2385/2010 has already been dismissed on 12.04.2010, therefore, for the same reasons as stated in the said writ petition No.2385/2010, titled as "Municipal Corporation of Delhi and others v. Mrs.Rani Devi and another", the writ petition filed by the Director of Education is also dismissed. All the pending applications are also dismissed.